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September 29, 2004

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Honorable Michael Powell

Chairman

Federal Communications Commission
Office of the Secretary

Federal Communications Commission

445 12th Street SW

Washington D.C. 20554

Re: Review of the Emergency Alert System, EB Docket No. 04-296

Dear Chairman Powell:

Counties need a means to alert their residents about local emergencies such as local severe weather conditions, unexpected road/bridge closings, local toxic waste spills, gas main leaks or water system problems. As a result, for decades counties have required local emergency alert systems in their cable franchises. They allow us to communicate directly with our residents, without going through third parties and without alerting other communities. Such local alerts are not appropriate for and are not carried by the more recent regionally oriented current Federal Emergency Alert System, which typically serves several counties. They are also used as a backup in case the Federal Emergency Alert System does not work. The FCC has strongly supported cable local emergency alert systems in the past against attempts to preempt them.

We are concerned that your current rulemaking on emergency alert systems doesn't acknowledge cable local emergency alert systems and seems inclined to preempt them, despite the FCC's past support for them. We are also concerned that the new Federally governed national alert system proposed in the rulemaking does not take counties into account or their need to have direct, effective, immediate means for alerts targeted to their residents. For example, TV and radio stations in the New Orleans area tend to concentrate on the larger population bases. As a result, our local cable station is used to update local citizens during storm events and other incidents that may affect our citizens. They have come to depend on our channel for this information. Thus, rules that would impair our ability to get important information to our residents directly would put them at significant risk.

Please make sure that you do not preempt the local emergency alert systems provided for in cable franchises across the country. If you do create a new Federally governed national alert system please make sure that it provides for participation by counties and allows them to send

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alerts directly (without the intervention of a third party) targeted to their residents in the event of a local emergency.

Very truly yours,



Kevin Davis

cc: Commissioner Kathleen Q. Abernathy
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